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April 8, 2021

Plaintiff has provided notice of its voluntary dismissal with prejudice against Defendants under Federal Rule of Civil Procedure 41(a)(1)(A), which allows a plaintiff to dismiss an action without a court order. *See* Fed. R. Civ. P. 41(a)(1)(B) (permitting notice of dismissal with prejudice).

By ECF and Email

Honorable John P. Cronan
United States District Judge
Southern District of New York
500 Pearl Street, Room 1320
New York, New York 10007
CronanNYSDChambers@nysd.uscourts.gov

Accordingly, the Clerk of Court is respectfully directed to close this case. Any pending motions are moot. All conferences are cancelled.

SO ORDERED.

Date: April 9, 2021

New York, New York

A handwritten signature in black ink, appearing to read "John P. Cronan".

JOHN P. CRONAN
United States District Judge

Re: Northeast Banana Corp. v. Produce Depot USA LLC, et al.
Case No.: 21-civ-969 (JPC)

Dear Judge Cronan:

This firm is counsel to plaintiff Northeast Banana Corp. in this action.

The parties have settled this matter, and today I filed a stipulation of dismissal of the action at docket number 44. A copy is attached. The parties request that the stipulation be So Ordered.

Please advise of any questions, and we thank the Court for its consideration of this request and assistance resolving this matter.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Jonathan Bodner".

Jonathan Bodner
For the Firm

Attachment

cc: Timothy J. Fierst, Esq., defendants' counsel
Northeast Banana Corp.

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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NORTHEAST BANANA CORP.,

Plaintiff,

CASE NO.: 21-cv-00969-JPC

-against-

PRODUCE DEPOT USA LLC,
GAETANO M. BALZANO a/k/a GUY BALZANO,
LUIS A. RUELAS a/k/a LUIS A. RUELAS, JR.,

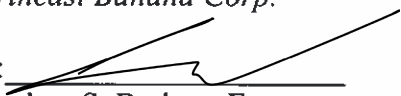
Defendants.

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STIPULATION OF DISMISSAL

Plaintiff Northeast Banana Corp. ("Plaintiff") and defendants Produce Depot USA LLC, Gaetano M. Balzano a/k/a Guy Balzano and Luis A. Ruelas a/k/a Luis A. Ruelas, Jr. (collectively, "Defendants"), by their undersigned counsel, hereby stipulate and agree that the above-captioned action be dismissed against all of the Defendants pursuant to Federal Rule of Civil Procedure 41(a)(1)(A) with such dismissal to be deemed with prejudice, and without costs.

BODNER LAW PLLC
*Attorney for Plaintiff,
Northeast Banana Corp.*

By: 
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Dated: April 8, 2021

THE FIERST LAW GROUP, P.C.
*Attorney for Defendants, Produce Depot USA
LLC, Gaetano M. Balzano a/k/a Guy Balzano
and Luis A. Ruelas a/k/a Luis A. Ruelas, Jr.*

By: 
Timothy J. Fierst, Esq.
462 Sagamore Avenue, Suite 2
East Williston, New York 11596
(516) 586-4221
tfierst.law@gmail.com

Dated: April 8, 2021

SO ORDERED
Date: April 8, 2021
New York, New York

HON. JOHN P. CRONAN
United States District Court Judge
Southern District of New York